

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION

Shylena Martin, as Personal
Representative of the estate of Charles
Martin,

Plaintiff,

v.

South Carolina Department of
Corrections (SCDC), Perry Correctional
Institution (PCI), Jeffrey Motts,
individually, Associate Warden Stephen
Clayton, Lt. Tamara Conwell, Sergeant
Gorman, Corporal Kitchens, Ms.
Ogunsile, Ms. Greene, Officer Combs,
Officer Boozer, Sergeant Charlie Postell,
Major James Sewell, Warden Bazzle,
Captain Wade, Officer Edwards,
Chaplain Bill Bryant, and John Doe,
representing other employees, officers,
and agents of SCDC and PCI whose
identities are not known but will
become known during the course of
discovery,

Defendants.

C/A No. 6:07-cv-03422-GRA

ORDER
(Written Opinion)

This matter comes before the Court upon Defendants' Motions for Summary Judgment, filed November 2, 2009. Counsel for Plaintiff and Defendants presented oral arguments before this Court on December 21, 2009. After a thorough review of the parties' briefs and oral arguments, the Court finds an issue of material fact exists and therefore, summary judgment is inappropriate.

IT IS HEREBY ORDERED that Defendants' Motions for Summary Judgment is
DENIED.

IT IS SO ORDERED.

A handwritten signature in black ink, reading "G. Ross Anderson, Jr.", written over a horizontal line.

G. Ross Anderson, Jr.
Senior United States District Judge

Anderson, South Carolina
December 21, 2009